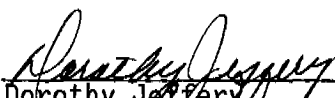


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and it was their feeling that this type of language would discourage businesses from locating in Delta City.

Mayor Nielson asked if there were any further comments regarding the zone change requested. There being none, he then adjourned the Public Hearing at 6:59 p.m.


Grant S. Nielson, Mayor

Attest: 
Dorothy Jeffery
City Recorder

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JUNE 4, 1984

PRESENT

Grant S. Nielson	Mayor
Don Dafoe	Council Member
Craig Greathouse	Council Member
Kjell Jenkins	Council Member
Ruth Hansen	Council Member
Neil Dutson	Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan	City Manager
Warren Peterson	City Attorney
Dorothy Jeffery	City Recorder
John Quick	City Engineer
Morris Burton	City Police Officer
Jim Fletcher	KNAK Radio Station
Rod Clark	IPP Representative
Leah Kauwe	City Resident
Art Jeffery	City Resident

Also present was a troop of boy scouts.

Mayor Nielson called the meeting to order at 7:00 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station and to each member of the governing body by personal delivery of copies of the notice and agenda two days prior to the meeting.

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MINUTES

The minutes of a Regular City Council Meeting held May 7, 1984, were reviewed and corrected. Council Member Ruth Hansen MOVED to adopt the minutes as corrected. Council Member Don Dafoe SECONDED the motion. Motion carried.

The minutes of a Regular City Council Meeting held May 21, 1984, were presented for Council review. Following the review, Council Member Don Dafoe MOVED the minutes be approved as presented. Motion was SECONDED by Council Member Ruth Hansen. Motion carried unanimously.

ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery asked if there were any questions regarding the list of accounts payable which were previously distributed to the Council, a copy of which is on file in the City Recorder's office.

Council Member Don Dafoe questioned whether Delta City was liable for property tax on the leased Toshiba copier and requested it not be paid until further information was obtained. Following further discussion of the accounts payable, Council Member Don Dafoe MOVED the accounts payable be approved for payment excluding the property tax bill on the copier and including the City Attorney's monthly bill for May. The motion was SECONDED by Council Member Neil Dutson and carried unanimously.

GREG NIELSON, ACCOUNTANT: ROBISON, HILL & CO. MONTHLY BUDGET REPORT

A copy of March's monthly budget report was distributed to the Council for study prior to the Council meeting.

Greg Nielson, accountant for Robison, Hill & Co., explained the revenues and expenditures to date per department and answered questions from the Council. Council Member Don Dafoe asked what procedure was followed with monies that were budgeted but not expended within the budget year. Mr. Nielson explained that money budgeted for and not expended becomes a surplus and is usually carried over into the same fund in the next budget year as a beginning fund balance. He cautioned that the fund balance must not exceed the limit set by State Law.

City Manager Jim Allan told the Council he had spoken to Tom Allan, the State Auditor, and was told there is a problem with the County Assessment Report and that a letter came down from the State Tax Commission stating the County should be able to present to the City by June 22 figures of the assessment, thus enabling the City to set a mill levy for the 1984-85 budget.

Mr. Allan also told the Council he had spoken to the County Assessor's Office and was told they will try to get the documents to the City as quickly as possible. Based on the information at hand, Mr. Allan said because of the delay in receiving the assessment figures from the County, he

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had asked Tom Allan, the State Auditor, if the City could mail the 1984-85 budget into the State after July 15 and was given permission by Tom Allan to do so.

Mr. Allan then recommended to the Council that if the assessment report is received by June 22, a budget hearing could be scheduled for June 25 and still meet the required deadline, and also a Special City Council Meeting could be scheduled for the purpose of opening the 1983-84 budget. The Council concurred with the recommendation.

Mayor Nielson then asked if there were any further questions regarding the March budget report. The Council asked Dick Turner, CPA of Robison, Hill & Co., what the proposed monthly rate for the monthly budget reports and the year end audit would be. Mr. Turner explained the monthly charge for the computer printouts would be approximately \$350-\$400 per month until such time as the City has its own computer. He then presented a letter of proposal to the Council for their consideration and approval regarding the year-end audit for the year ending June 30, 1984.

May 10, 1984

Honorable Mayor, Member of the City Council,
and City Manager
City of Delta
Delta, Utah

Gentlemen:

This will confirm our understanding of the arrangements for our examination of the financial statements of the City of Delta for the year ending June 30, 1984.

We will examine the combined financial statements of the City and its combining and individual fund financial statements as of and for the year ending June 30, 1984 for the purpose of expressing an opinion on them. Our examination will be made in accordance with generally accepted auditing standards and, accordingly, will include such tests of the accounting records and such other auditing procedures as we consider necessary in the circumstances.

Our procedures will include tests (by statistical sampling, if feasible) of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected outside sources such as water and sewer utility customers, legal council and banks. At the conclusion of our examination, we will request certain written

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representations from you about the financial statements and matters related thereto.

Our engagement is subjected to the inherent risk that material errors, irregularities, or illegal acts, including fraud or defalcations, if they exist, will not be detected. However, we will inform you of any such matters that come to our attention.

Further, we will be available to consult with you prior to the issuance of the audit report and will be available to meet with the City Council and other City officials to discuss the financial statements after the audit report has been issued.

We understand that you require that we complete our field work and issue the audit report prior to the deadline dates as prescribed by the Office of the Utah State Auditor. We intend to comply with these requirements, barring any unanticipated problems you might have in closing the books, etc.

Our fee for these services will be at our regular per diem rates, plus travel and other out-of-pocket costs incurred, if any. We estimate that our fee for this engagement will be between \$7,000 and \$7,500 with the understanding that if it should prove possible to complete our work for a lesser amount, computed on a basis of our conventional rates, the entire savings will be received by you. Should any situation arise that would materially increase the estimate, we will, of course, advise you.

This estimated fee does not cover any monthly work, or any special work in which you request that we perform. Special work is any work which would not form a part of the normal procedures necessary to enable us to express an opinion on the financial statements. Likewise, the proposed fee does not cover the special investigation of any complicated irregularities which might be discovered. In any case, the specific matter will be discussed by us with your officials before proceedings.

We are pleased to have this opportunity to serve you.

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If this letter correctly expresses your understanding, please sign the duplicate copy in the space provided and return it to us.

Very truly yours,

ROBISON, HILL & COMPANY

/s/ RICHARD K. TURNER, CPA

The Council reviewed and discussed the proposal after which Council Member Kjell Jenkins MOVED to accept the terms for the annual audit for budget year 1983-84 as set out in Mr. Turner's letter. Motion was SECONDED by Council Member Don Dafoe and carried unanimously.

CITY ATTORNEY WARREN PETERSON: UNION PACIFIC RAILROAD LETTER REGARDING
AMTRACK PEDESTRIAN CROSSING

Attorney Peterson informed the Council he had received the following letter from Union Pacific Railroad Company:

May 16, 1984
10-500.11

Mr. Warren H. Peterson
Delta City Attorney
309 West Main
P.O. Box 397
Delta, Utah 84624

Dear Mr. Peterson:

As I am sure you are aware, entraining and detraining passengers at Delta must cross over the rails of a siding to get to and from the platform and the train. Additionally, this area is not adequately lighted.

Inasmuch as all necessary work to be performed in and around Union Pacific tracks outside the leased area must be done by Railroad forces, it is recommended that, for safety reasons, an 8-ft. pedestrian crossing be installed and a flood-light be erected at the shelter location, at a cost of \$3,316.00.

Will you please promptly forward City of Delta payment of \$3,316 so that the foregoing work may be progressed as soon as possible.

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The City of Delta copy of the executed lease agreement will be forwarded to you in the hear future.

Yours very truly,

/s/ N. Pritza

Attorney Peterson recommended that the letter be referred to the Chamber of Commerce for their action since the Amtrak shelter project was initiated by the Chamber. He recommended the item be tabled until the Chamber made a recommendation. The Council concurred with his recommendation. Council Member Don Dafoe MOVED to table item #4 of the agenda regarding the Union Pacific Railroad Letter Amtrack pedestrian crossing. The motion was SECONDED by Ruth Hansen and carried unanimously.

CITY ATTORNEY WARREN PETERSON: CONTROLLED SUBSTANCE ORDINANCE

A copy of the proposed controlled substance Ordinance No. 84-79 was distributed to the Council for their review two days prior to the meeting. Attorney Peterson asked the Council if there were any questions regarding the proposed ordinance. He then discussed the contents of the ordinance with the Council thoroughly, after which Council Member Don Dafoe MOVED to adopt Ordinance No. 84-79 entitled, "AN ORDINANCE AMENDING THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION) BY ADOPTION OF CHAPTERS DEFINING AND REGULATING POSSESSION OF CONTROLLED SUBSTANCES, DEFINING AND REGULATING POSSESSION OF DRUG PARAPHERNALIA AND DEFINING AND REGULATING POSSESSION OF IMITATION CONTROLLED SUBSTANCES AND PRESCRIBING THE PENALTIES FOR VIOLATION OF THE PROVISIONS HEREBY ADOPTED", excluding all of Section C, page 12, to Section 13-1500, page 18 of the ordinance as proposed. The motion was SECONDED by Council Member Craig Greathouse. Mayor Nielson asked if there were any further questions or comments regarding the proposed ordinance. There being none, he then called for a roll call vote on the motion. Voting was as follows:

Council Member Don Dafoe	Yes
Council Member Craig Greathouse	Yes
Council Member Ruth Hansen	Yes
Council Member Kjell Jenkins	Yes
Council Member Neil Dutson	Yes

Following the voting Mayor Nielson signed the ordinance and it was attested by City Recorder Dorothy Jeffery.

CITY COUNCIL MEMBER NEIL DUTSON: WATER AND SEWER SERVICE FEES AND HOOKUP CHARGES

Council Member Neil Dutson told Council he had discussed the present water and sewer service fees and hookup charges with Mr. Mitch Myers and Mr. Jim Edwards. They voiced their concern about the approximate \$90,000 charge for the City services required for their proposed trailer park and discovered the cost of the water, service fees and hookup charges. They feel this is

an unduly high figure. Mr. Myers and Mr. Edwards asked, "Why does it cost so much, and where is the money going to be spent?" Council Member Dutson further stated there had been a death in Mr. Myers family; therefore, he was unable to attend this meeting. Council Member Dutson then MOVED the item be tabled until such time as Mr. Myers and Mr. Edwards could be in attendance. The motion was SECONDED by Council Member Craig Greathouse and carried unanimously.

COUNCIL MEMBER RUTH HANSEN: DELTA CITY LIBRARY POLICIES

A document entitled "Delta City Library Policies" was delivered to the Council prior to the meeting to be considered for adoption by the Council. The proposed policies read as follows:

DELTA CITY LIBRARY POLICIES

I. BASIC RULES

1. Parents shall be held responsible for all materials checked out by members of the immediate family.
2. All fines, losses, and damages to materials beyond normal wear shall be paid within a reasonable period of time for a patron to remain in good standing.
3. Materials may be kept for two weeks with one additional renewal for two weeks, except items for which there is a waiting list or when designated by the librarian as non-renewable materials. There will be no renewals by telephone.

II. LIBRARY CARDS

1. Residents, taxpayers, and organizations in the West Millard area may apply for a library card. A \$1.00 fee will be charged those who do not presently hold a valid Delta City library card. Proof of residence is required at the time of application.

Temporary residents may apply for a card providing they show proof of a local address and also a permanent home address. A deposit of \$10 is required for a temporary resident card. Deposit to be refunded when visitor leaves the city having returned all materials or upon establishing permanent residence within the area.

2. Parents or guardians shall be responsible for all materials borrowed by members of the

immediate family. An application card with one of the parent's signatures must be on file for children 6 to 14 years of age applying for library service.

3. Patrons shall give immediate notice of change of address, and loss or theft of library cards. Until such notice is given, they shall be responsible for all materials checked out on their cards. A new card will cost 50¢.

III. FINES

1. Fines of five cents per day shall be charged for all overdue materials.
2. Fines shall stop at \$3.00 for each overdue book or other library material.
3. If any family member has an overdue book, service is refused to the entire family until books are returned and fines paid.
4. Patrons shall be charged the replacement cost of lost or damaged materials.
5. Patrons who disregard final overdue notices and refuse to return library materials, may be turned over to the City Attorney for legal action.

IV. RESERVATIONS

1. Reserved materials will be held one day after patron has been notified.
2. Reservations will be accepted in the order they are received.

V. SPECIAL USE

1. Materials may be loaned to teachers for classroom use and to other acceptable organizations for extended periods of time.

VI. NON-CIRCULATION MATERIALS

1. Materials in special collections shall not leave the library except by permission of the librarian.
2. Reference materials shall not leave the library except for selected older materials.

Council Member Hansen explained to the Council that she had taken much of the information in the above document from Nephi City's policy, which is

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also similar to the policies used in Salina and Richfield. It seems to be working very well for those cities.

Following a brief discussion, there was some concern voiced by the Council regarding the second portion of paragraph 1 in Section II limiting issuance of cards to temporary residents.

Also discussed was the possibility of a dress code to be included in the policies and procedures.

Following further discussion, Council Member Neil Dutson MOVED to adopt the "Delta City Library Policies" excluding the portion of paragraph 1 in Section II regarding cards for temporary residents. The motion was SECONDED by Council Member Ruth Hansen. It carried unanimously.

Attorney Peterson suggested that after a complete set of policies are written, a Resolution should be passed adopting the library policies. The Council agreed.

CITY MANAGER JIM ALLAN: CAPITAL BUDGET FOR CITY BUILDING AND LIBRARY

The following capital budget summaries were presented to each Council member for their review and consideration for adoption:

DELTA MUNICIPAL BUILDING
PROJECT

FUND--CAPITAL ACCOUNT NO. -----

EXPENDITURE DESCRIPTION

ARCHITECT	12,393
BUILDING	645,000
FURNISHINGS	81,253
CONTINGENCIES	2,228
GROUNDS	<u>8,586</u>

TOTAL COST	<u>750,000</u>
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SOURCE OF FUNDS

BEGINNING FUND BALANCE	311,837
IPA -- BUILDING	350,000
INTEREST -- BUILDING	15,636
IPA -- FURNISHINGS	43,000
TRUST FUND -- INTEREST	987
CHAMBER OF COMMERCE	18,600
UTAH STATE LIBRARY COMMISSION	<u>10,000</u>

TOTAL	<u>750,060</u>
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MUNICIPAL LIBRARY FURNISHINGS
PROJECT

FUND--CAPITAL	ACCOUNT NO. -----
FURNISHINGS SHELVING AND FURNITURE	<u>15,537</u>
TOTAL COST	<u>15,537</u>
SOURCE OF FUNDS BEGINNING FUND BALANCE	<u>15,537</u>
TOTAL FUNDS	<u>15,537</u>

City Manager Jim Allan thoroughly reviewed each of the above proposed budgets with the Council, after which Council Member Don Dafoe MOVED to adopt the project budget for the Delta Municipal Building Project and Municipal Library Furnishings. Motion was SECONDED by Council Member Kjell Jenkins. The motion carried.

MAYOR GRANT NIELSON: APPOINTMENT OF ZONING ENFORCEMENT OFFICER

Mayor Nielson explained to the Council that City Public Works Superintendent Neil Forster has been acting as the zoning enforcement officer. Mayor Nielson recommended that the Council appoint Ray Valdez as the Zoning Enforcement Officer, thus allowing Mr. Forster more time for the many construction projects that are now going on within the Delta City limits.

Council Member Neil Dutson MOVED to appoint Ray Valdez, Delta City Building Inspector, as the Delta City Zoning Enforcement Officer. Motion SECONDED by Council Member Craig Greathouse. Motion carried.

OTHER BUSINESS

Council Member Ruth Hansen told the Council that the Library Board had interviewed several people that had applied for the position of Delta City Librarian. They had recommended that Norma Farnsworth be presented to the Council for the appointment. She then MOVED that the Council appoint Norma Farnsworth as the Delta City Librarian at a wage of \$866.66 per month for an annual gross wage of \$10,400.00, that she be required to work 40 hours per week and that she be entitled to the same benefits as other full time Delta City employees, and that the appointment be placed on a future Regular City Council Meeting agenda for confirmation. Motion was SECONDED by Council Member Don Dafoe. Mayor Nielson asked if there was any further discussion regarding the appointment. There being none, he called for a roll call vote. The voting was as follows:

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Council Member Don Dafoe	Yes
Council Member Ruth Hansen	Yes
Council Member Craig Greathouse	Abstained
Council Member Neil Dutson	Yes
Council Member Kjell Jenkins	Yes

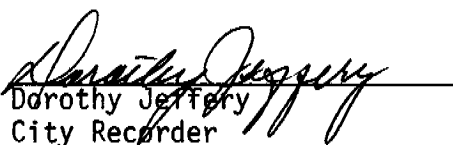
Motion carried.

Following is a list of items requested by the Council to be placed on the June 11, 1984, Regular City Council Meeting Agenda:

1. Council Member Neil Dutson: Water and Sewer Service Fees and Hookup Charges.
2. Attorney Warren Peterson: Union Pacific Railroad Letter regarding Amtrak Pedestrian Crossing.
3. June 11, 1984, Public Hearing to be advertised.
4. CIB Meeting decision at the June 7, 1984, meeting.
5. Dennis Westwood: Monthly charges for maintaining of garbage dump.
6. Attorney Warren Peterson: Site lease agreement FAA installation at the Delta City Airport.

Mayor Nielson then asked if there were any further questions or comments to be discussed. There being none, Council Member Neil Dutson MOVED to adjourn the meeting. Motion SECONDED by Council Member Don Dafoe. Meeting adjourned at 10:10 p.m.

Attest:


Dorothy Jeffery
City Recorder


Grant S. Nielson, Mayor

MINUTES OF A PUBLIC HEARING HELD JUNE 11, 1984

PRESENT

Grant S. Nielson
Don Dafoe
Craig Greathouse
Neil Dutson
Kjell Jenkins
Ruth Hansen

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan
Warren Peterson
Dorothy Jeffery

City Manager
City Attorney
City Recorder